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09/836,978	04/18/2001	Werner Metz	INTL-0489-US (P10269)	9073

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Timothy N. Trop  
TROP, PRUNER & HU, P.C.  
8554 KATY FWY, STE 100  
HOUSTON, TX 77024-1805

EXAMINER

KUMAR, SRILAKSHMI K

ART UNIT PAPER NUMBER

2675

DATE MAILED: 05/07/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/836,978

Applicant(s)

METZ

Examiner

Srilakshmi K. Kumar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 February 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-13,17-23 and 27-29 is/are rejected.
- 7) ☒ Claim(s) 3-5, 14-16, 24-26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

The following office action is in response to the request for reconsideration, filed February 25, 2003.

#### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 11-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to independent claim 11 of the instant application, applicant discloses "an article". It is unclear as to what "an article" is. Further, nowhere in the specification is it defined what "an article" is. Further, applicant also discloses "the article" in dependent claims 12-19. Examiner requests appropriate correction.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 6-13, 17-23 and 27-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Benson (US 5,650,800).

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As to independent claim 1, a method comprising, resolving a display (Figs. 3, 5 and 6) into at least two regions (item 102); generating a different sequence of characteristic values in each region (Fig. 5, col. 5, lines 16-25, sensors have unique ID code); and resolving the position of a sensor with respect to said regions (Fig. 5, col. 9, lines 15-26).

As to independent claim 11, an article comprising a medium (memory Fig. 2, item 36) storing instructions that enable a processor (32) based system to resolve a display into at least two regions; and generate a different sequence of characteristic values in each region (Figs. 3, 5 and 6).

As to independent claim 20, a system comprising, a processor (32); a memory (36) coupled to said processor, said memory storing instructions that enable the system to resolve a display into at least two regions and generate a different sequence of characteristic values in each region (col. 5, lines 38-60).

As to dependent claims 2, 13 and 23, limitations of claims 1, 11 and 20, and further comprising, wherein resolving a display into two regions includes resolving a display into at least four regions (Figs. 3, 5 & 6, item 102).

As to dependent claims 6, 17 and 27, limitations of claims 1, 11 and 20, and further comprising, including displaying a series of frames and interspersing, among said frames, additional frames having at least two regions each displaying a sequence of characteristic values (col. 9, lines 15-46). Fig. 5 of Benson shows several different regions with different characteristics displayed.

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As to dependent claim 7, limitations of claim 6, and further comprising, including displaying said additional frames in a fashion such that they are substantially undetectable by the user (col. 7, lines 43-49).

As to dependent claims 8, 18, and 28, limitations of claims 1, 11 and 20, and further comprising, generating a different sequence of characteristic values by displaying a time sequence of frames each including at least two regions, and each of said regions displaying a timed sequence of characteristic values (col. 7, lines 43-67 where Benson periodically broadcasts system status)..

As to dependent claims 9 and 19, limitations of claims 8 and 18, and further comprising, including interspersing frames containing said characteristic values and frames not containing said characteristic values (Fig. 5, the scrolling).

As to dependent claim 10, limitations of claim 1, and further comprising, developing a sequence using fewer characteristic values than the number of regions (Fig. 6).

As to dependent claims 12, 22 and 29, limitations of claims 11 and 20, see claim 1, above.

As to dependent claim 21, limitations of claim 20, and further comprising, including a display coupled to said processor (Fig. 2, item 32, col. 5, lines 39-42).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benson (US 5,650,800).

As to dependent claim 30, limitations of claim 29, and further comprising, wherein said sensor is a light sensor that detects a characteristic value in the form of light. Although Benson does not state that the sensors are that of light sensors, it would have been obvious to one of ordinary skill in the art at the time of the invention that the sensors could have been light sensors. Benson discloses in col. 2, lines 43-47, "any sensor of the type conventionally used for perimeter or vault alarm systems, any sensor of the type conventionally used for fire alarm systems or combinations thereof is operatively connected to the sensor interface". It is obvious to one of ordinary skill in the art that light sensors are used for perimeter or vault alarm systems as they are advantageous as breaking the light beam would "trip" the sensor.

***Allowable Subject Matter***

7. Claims 3-5, 14-16, and 24-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

8. Applicant's arguments filed February 25, 2003 have been fully considered but they are not persuasive.

With respect to applicant's request for the withdrawal of the 112 2<sup>nd</sup> Paragraph rejection of claim 11, the rejection will be maintained. Applicant states that "an article" is "something that comprises a medium storing instructions that enable a processor-based system to perform certain

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actions.” Examiner is unclear as to what “something” is, and would like further clarification. Is “an article” defined as a system? a cpu? software? Further clarification is requested.

With respect to applicant’s argument on page 1 of response, Applicant disagrees that the prior art, Benson, discloses generating a different sequence of characteristic values in each region, Examiner disagrees. Benson discloses in Fig. 5, different regions with different values, such as the teller area, storage, women, window #3, window #4, and where the sensors of each group disclose a unique identification.

With respect to applicant’s arguments of where Benson does not disclose displaying a series of frames and interspersing, among said frames, additional frames having at least two regions each displaying a sequence of characteristic values. Benson discloses in Fig. 5, where there are additional frames each with more than two regions, such as in storage, it is shown to have six regions, where each of those regions would be able to disclose a different characteristic value. Further as shown in Figs 5-9, the display could further change and show different characteristics from the previous display frame.

With respect to applicant’s arguments of where Benson does not disclose displaying a time sequence of frames each including at least two regions, and each of said regions displaying a timed sequence of characteristic values. Examiner contends that a periodic broadcasting of system status can be the same as a timed sequence of characteristic values as system status would broadcast different characteristics of what is displayed at regular timed intervals.

With respect to applicant’s arguments of where Benson does not teach that a sensor is a light sensor that detects a characteristic value in the form of light. Examiner disagrees. The limitation as disclosed can be interpreted to be where the sensors could be of any type as long as

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they detect a characteristic value of light. The sensors of Benson can be that of light sensors as would have been obvious to one of ordinary skill in the art.

As stated above, arguments are not persuasive, thus the rejection has been maintained and made Final.

***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Srilakshmi K. Kumar** whose telephone number is **(703) 306 5575**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Saras, can be reached at (703) 305-9720.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks



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Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703 305 47000377.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 703 306 5575. The examiner can normally be reached on 8:00 am to 4:30 pm.

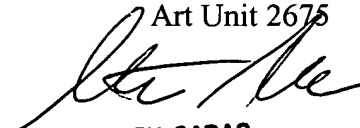
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven J. Saras can be reached on 703 305 9720. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872 9314 for regular communications and 703 308 9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 4700.

Srilakshmi K. Kumar

Examiner

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**STEVEN SARAS**

**SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**

SKK

May 2, 2003